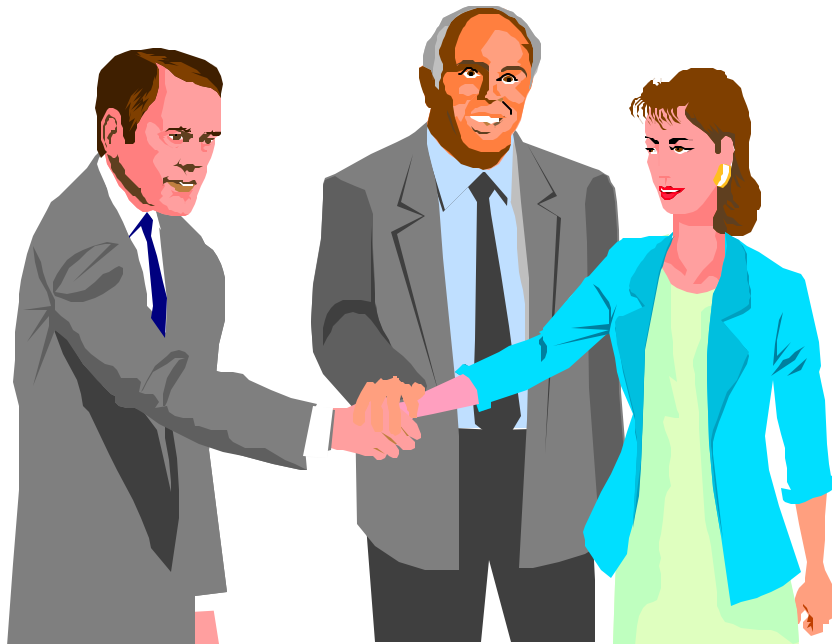


A
CONSUMERS
GUIDE

What Can I Expect from the Board
If I Need to File a Complaint



Court Reporters Board of California

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Sacramento, California 95833

(916) 263-3660

Website: www.courtreportersboard.ca.gov

What is the Court Reporters Board of California?

The Court Reporters Board of California (CRBC) was created by the California Legislature to safeguard the public's health, welfare and safety when its consumers interact with court reporters in the judicial system. It is one of the boards within the Department of Consumer Affairs. The CRBC is responsible for consumer protection through the regulation of court reporters. The CRBC also regulates court reporting schools and programs throughout the state of California.

Individuals who seek help from court reporters are entitled to receive quality and efficient transcripts. That is why our mission is to provide users of the judicial system access, consumer education, and consumer protection through quality assurance in the qualifications, performance, and ethical behavior of court reporters.

In pursuing our goal, we provide a process by which consumers may file complaints against our licensees.

Who Can/Should File a Complaint?

A complaint should be filed by anyone who believes that a Certified Shorthand Reporter (CSR) or applicant has acted illegally, irresponsibly, or unprofessionally in providing CSR services. The most effective complaints are those that contain firsthand, verifiable information. While anonymous complaints will be reviewed, they may be impossible to pursue unless they contain documented evidence of the allegations made. Unless all persons are willing to be contacted and authorize release of information, the Board may be unable to investigate and prosecute a complaint.

What Types of Complaints Does the CRBC Handle?

Complaints under the Board jurisdiction include some of the following behavior:

- Excessive fees charged by official CSRs
- Unprofessional conduct, including availability and delivery of transcripts and/or related services
- Fraud or other crimes

What types of Complaints Are Outside of the Board's Jurisdiction?

The Board does not investigate fee or billing disputes between CSRs and CSR firms, nor does the Board regulate fees charged to consumers for services/products rendered by a firm or freelance CSR. The Board cannot require a CSR or firm to offer services other than an original copy of a transcript (i.e. rough draft, real time, condensed). The Board does not have jurisdiction over Electronic Recording and Video Operators or Court Reporting Firms. These types of complaints will be referred to the appropriate agency if possible and the complainant will be notified.

How Do I File a Complaint?

Your complaint must first be submitted in writing before it can be processed. Individuals who file complaints are notified in writing of the status of their complaint throughout the entire process.

When completing the complaint form, provide a statement, in your own words, which explains the nature of your complaint. Include as much detail as possible, as well as copies of any documents you have, such as transcripts, contracts, correspondence, etc. that can be used as evidence. Don't mail the originals. Include dates, times, and locations of depositions, trials, or other proceedings wherever possible. Don't worry about citing specific sections of the law that you feel have been violated.

How Complaints Are Processed?

You will be notified that we have received your complaint within ten days of its arrival. Complaints are reviewed by the Board's enforcement coordinator.

Minor Violations

If your complaint involves a minor violation, we may attempt to (1) resolve the issue between you and the licensee, or (2) issue a citation and fine to the licensee.

Investigations

If your complaint involves a more serious violation, such as inaccurate or untimely transcripts, gross negligence, or incompetence, it may be referred for formal investigation to the Department of Consumer Affairs' Division of Investigation. If your complaint has been referred to this agency, you will be notified. The investigator may contact you and the licensee during the course of the investigation. While details of your complaint and the investigation are confidential and are not public record, they must be disclosed to the licensee at some point during the administrative process in order for the licensee to respond. This is part of our judicial due process system.

Referral to the Attorney General

If it is determined that the licensee's acts may constitute a violation of law, the matter may be submitted to the Office of the Attorney General to determine whether sufficient evidence exists to file an Accusation. An Accusation is a formal statement of the charges and the first public document in the disciplinary process. A copy of the Accusation is mailed to you and the licensee. The licensee may request an administrative hearing be scheduled so that he or she can contest the charges.

Stipulated Agreements

If a stipulated agreement cannot be negotiated, a hearing is held before an administrative law judge of the Office of Administrative Hearings. The Board's witnesses, the licensee, and the licensee's witnesses may testify. The Board must provide clear and convincing evidence to satisfy the judge that the allegations are true. For this reason, you may be required to testify in person. Within 30 days after the hearing, the Judge issues a proposed decision, stating the findings (facts which were proven in the hearing), which include his or her recommendations. If the charges were proven, the judge may recommend that disciplinary action, such as probation, suspension, or revocation, be taken against the licensee. The judge may recommend dismissal of the charges if they were not proven. The judge's recommendation(s) come back to the Board for the Board Members to vote on the proposed decision. If they vote to adopt, the decision becomes final. The Board can vote to non-adopt a decision and issue its own decision after reviewing transcripts of the hearing, and written and oral arguments. Final decisions are matters of public record, and copies are available upon request. As the complainant, you would receive a copy of the Board's final decision. This administrative disciplinary process can take up to two years from the filing of the accusation to the hearing or stipulated agreement.

Should Unlicensed Practice Be Reported to the Board?

Yes. If you have evidence that a person is practicing without a license, please notify the Board in writing. The Board will investigate the allegations and, if sufficient evidence is found, will refer the matter to the local District Attorney for criminal prosecution.

How do I get a Complaint Form from the Board?

Please call us at (916) 263-3660 or fax us at (916) 263-3664, or download a complaint form from our Web Site at www.courtreportersboard.ca.gov .